

In this rejection, the Office again asserted that it was conventional to form a passivation layer (which would level the layer) on the second substrate (opposed substrate) to protect the color filter. However, Applicants respectfully and entirely disagree with the Office's assertion for the following reasons.

The cell gap of FLC or AFLC display is narrower than that of a nematic liquid crystal display. If inside surfaces of two substrates (a TFT substrate and the opposed substrate) are rough, a light would not pass evenly through the substrates and FLC/AFLC layer provided therebetween. As such, good display characteristics could not be realized. Therefore, the inside surface flatness of the two substrates necessarily becomes a material factor for the FLC/AFLC display. Even though it was conventional to provide the passivation layer on the opposed substrate to protect the color filter, Applicants believe that it is not conventional to put the FLC/AFLC layer between the flattened surfaces of the two substrates, in light of the cell gap of the FLC/AFLC display device. None of the cited references disclose or suggest such issue and solution. Therefore, Applicants respectfully submit that this rejection is insupportable.

In view of the arguments set forth above, reconsideration and withdrawal of the § 103 rejection claims 9-16, 21-24, 33-40, 45-48, 50-52, and 54-56 are respectfully requested.

### **CONCLUSION**

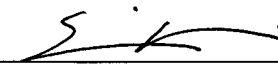
Having responded to all rejections set forth in the outstanding non-final Office Action, it is submitted that claims 9-16, 21-24, 33-40, 45-48, 50-52, and 54-56 are now in condition for allowance. An early and favorable Notice of Allowance is respectfully solicited. In the event that the Examiner is of the opinion that a brief telephone or personal interview will facilitate

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allowance of one or more of the above claims, the Examiner is courteously requested to contact Applicants' undersigned representative.

Respectfully submitted,  
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